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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
AMERICAN STEAMSHIP OWNERS :
MUTUAL PROTECTION AND :
INDEMNITY ASSOCIATION, INC., :
Plaintiff, :
- against - :
Alcoa Steamship Co., Inc. :
and the Other Entities Listed on Exhibit A :
attached to the Second Amended Complaint :
Defendants. :
-----X

04 Civ. 04309 (LAK)

PARTIAL
NOTICE OF DISMISSAL

Plaintiff, American Steamship Owners Mutual Protection and Indemnity Association, Inc. ("Plaintiff") hereby voluntarily dismisses the captioned action as against Ormet Corporation ("Defendant") without prejudice pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure. Plaintiff reserves the right to recommence this action or commence another action against Defendant, provided, however, that Plaintiff will only recommence this action or commence another action against Defendant in the event that Defendant seeks indemnity from or otherwise asserts claims against Plaintiff in

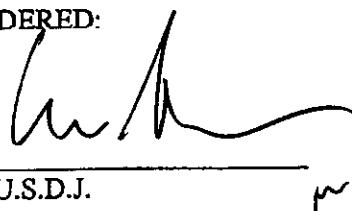
respect of IBNR occupational diseases under any insurance policies Plaintiff issued to Defendant or any alleged predecessor(s) prior to February 20, 1989.

Dated: October 6, 2004



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SO ORDERED:



U.S.D.J. *pr*

10/12/04